

Appln No. 10/562,368
Amdt date March 16, 2009
Reply to Final Office action of January 27, 2009

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) Sterilizable multilayer film for containers containing solutions, suspensions, solids or mixtures for parenteral or enteral nutrition or tube feeding, optionally in a spatially separated arrangement of the contents, having a three-layered structure with an inner layer being in contact with the content of the container, an intermediate layer and an outer layer facing the environment, said layers optionally connected by tie and/or adhesive layers; wherein:

the oxygen transmission rate at 23°C through the multilayer film determined by the oxygen transmission of the intermediate layer is less than 0.7 ml/m²d;

said inner layer having a thickness of from 30 to 120 µm;

said intermediate layer having a thickness of from 5 to 35 µm and said outer layer having a thickness of from 20 to 40 µm; and

allowing desorption of water absorbed in the intermediate layer during sterilization after said sterilization at 121 °C.

2. (Original) The multilayer film according to claim 1, wherein said oxygen transmission rate at 23 °C is less than 0.4 ml/m²d.

3. (Previously Presented) The multilayer film according to claim 1, having an inner layer essentially consisting of non-polar polymeric material.

4. (Currently Amended) The multilayer film according to claim 3, having an inner layer comprising ~~or substantially consisting of~~ polypropylene homopolymer and/or polypropylene copolymer.

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5. (Currently Amended) The multilayer film according to claim 1, having an intermediate layer comprising [[of]] ethylene/vinyl alcohol copolymer, having a defined ethylene content of 27 to 38, ~~in particular 29 to 32 mol%~~.
6. (Currently Amended) The multilayer film according to claim 1[[]], having an outer layer comprising ~~or substantially consisting of~~ polyethylene terephthalate homopolymer and/or polyethylene terephthalate copolymer.
7. (Currently Amended) The multilayer film according to claim 1[[]], characterized in that the multilayer film contains at least one oxygen absorber within one or several of the layers.
8. (Previously Presented) The multilayer film according to claim 7, wherein said oxygen absorber contains Fe or Fe(II)-salts.
9. (Previously Presented) The multilayer film according to claim 7, wherein said oxygen absorber is contained in said inner layer.
10. (Previously Presented) The multilayer film according to claim 7, wherein said oxygen absorber is contained in a tie and/or adhesive layer located between said inner layer and said intermediate layer.
11. (Currently Amended) The multilayer film according to claim 7, wherein said oxygen absorber is contained in the respective layer/layers in an amount of 1 to 100 mg/g[[,]] related to the weight of the respective layer.
12. (Previously Presented) The multilayer film according to claim 7, wherein said oxygen absorber is contained in an amount of 0.5 to 2.0 mg/g related to the overall

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weight of all layers.

13. (Previously Presented) Vapor sterilized multilayer film according to claim 1.
14. (Canceled)
15. (Canceled)
16. (Canceled)
17. (Previously Presented) The multilayer film according to claim 2, having an inner layer essentially consisting of non-polar polymeric material.
18. (Currently Amended) A multilayer film for containers containing solutions, suspensions, solids or mixtures for parenteral or enteral nutrition or tube feeding, comprising:
 - an inner layer consisting essentially of non-polar polymeric material;
 - an outer layer facing the environment, said outer layer comprising ~~or substantially consisting~~ at least one of polyethylene terephthalate homopolymer and polyethylene terephthalate copolymer; and
 - an intermediate layer, interposed between the inner layer and the outer layer, said intermediate layer comprising ethylene/vinyl alcohol copolymer, having a defined ethylene content of 27 to 38 mol%.
19. (Previously Presented) The multilayer of claim 17 wherein the outer layer has a thickness of from 20 to 40 μm .

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20. (Previously Presented) A method for forming a multilayer film for containers containing solutions, suspensions, solids or mixtures for parenteral or enteral nutrition or tube feeding, having an oxygen transmission rate at 23°C through the multilayer film of less than 0.7 ml/m²d, the method comprising:

providing an inner layer, being in contact with the content of the container, having a thickness of from 30 to 120 µm;

providing an outer layer, facing the environment, having a thickness of from 20 to 40 µm;

providing an intermediate layer, interposed between the inner layer and the outer layer, having a thickness of from 5 to 35 µm; and

wherein the outer layer allows desorption of water absorbed in the intermediate layer during sterilization after said sterilization at 121 °C.

21. (Previously Presented) The method of claim 20, wherein the outer layer comprises at least one of polyethylene terephthalate homopolymer and polyethylene terephthalate copolymer.

22. (Currently Amended) The method of claim 20, wherein the intermediate layer comprises ~~or substantially consists of~~ ethylene/vinyl alcohol copolymer, having a defined ethylene content of 27 to 38 mol%.

23. (Previously Presented) The method of claim 20, wherein the inner layer comprises polypropylene homopolymer and/or polypropylene copolymer.

24. (Previously Presented) The method of claim 20, further providing at least one oxygen absorber within one or several of the layers.